

May 06 04 06:08p

Milde & Hoffberg, LLP

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#41
5/19/04
A.W

SZABO 201.1
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andrew Szabo
Serial No. : 09/400,649
Filed : September 21, 1999
For : NUTRITIONAL OPTIMIZATION SYSTEM AND METHOD
Group: 2175
Examiner: Samuel Rimell

May 6, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Appeals from the decision dated 5/6/04 of the Examiner.

Appeal fee (check one):

[] \$330.00

[x] \$165.00

Applicant is:

[x] a small entity [] verified statement attached

[] verified statement filed

[] other than small entity.

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05/19/2004 AWHITE1 00000008 500427 09400649

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PAGE 19/20 * RCVD AT 5/6/2004 6:04:02 PM [Eastern Daylight Time]* SVR:USPTO-EFXRF-1/6 * DNIS:8729306 * CSID:914 949 3416 * DURATION (mm:ss):05:10

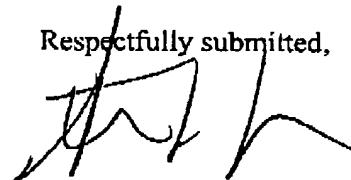
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Please charge any insufficiency of fee, or credit any excess, to Deposit Account
No. 50-0427.

Respectfully submitted,

Steven M. Hoffberg
Reg. No. 33,511

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